THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12964 OF 2007

ORAL ORDER:

The petitioner is the authorised fair price shop dealer of Utknur village, Parigi Mandal, Ananthapur District. His authorisation was cancelled by the 2nd respondent-Revenue Divisional Officer, Penukonda, vide proceedings dated 15.5.2007. Challenging the same, the petitioner preferred an Appeal before the 1st respondent along with an application for stay. Having entertained the Appeal while calling for records from the 2nd respondent, the 1st respondent by order, dated 14.6.2007, rejected the request of the petitioner for stay. Aggrieved by the said order, this writ petition is filed.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents, I do not find any justifiable reason to interfere with the impugned order. The discretion exercised by the 1st respondent-Appellate Authority in declining to grant stay pending the Appeal cannot be held to be arbitrary or illegal warranting interference in exercise of the extra-ordinary jurisdiction under Article 226 of the Constitution of India.

However, having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent to dispose of the Appeal pending on his file following due process of law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

6.8.2007.

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.12964 OF 2007

6th August, 2007.

Between:

R. Sivaiah. .. Petitioner.

And

Joint Collector, Anantapur,
Anantapur District and others. .. Respondents.